

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1437 of 2019**

- Ravindra Kumar Dansena S/o Hemlal Dansena Aged About 28 Years
Occupation Service, R/o J.S.P.L. Angul Odissa, Village - Kosamnara,
Police Station - Kotraraod Raigarh, Tahsil And District Raigarh, CG

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kotraraod Raigarh,
District (Revenue And Civil) Raigarh Chhattisgarh

---- Respondent

For applicant	Mr. Sumit Jhanwar, Adv.
For non-applicant/State	Mr. Wasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****13-3-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 321/2018 registered in police station Kotararoad, Raigarh, Distt. Raigarh (CG) for offence punishable under Section 376, IPC.
3. Perused the case diary.
4. Prosecution story in brief is that prosecutrix is aged about 26 years old. She is a resident of Kelo Vihar Colony, Raigarh. There was love affair between her and the applicant. On 19-2-2018, her marriage was solemnized with Shiva Shukla. After her marriage, applicant called her at Dhimarapur, for meeting on 16-4-2018. He took her towards Jindal dam and committed forcible sexual intercourse with her. He asked her to leave her in-laws house and he is inclined to marry her. He had gone to her in-laws house and told that he has relationship with her. Her in-laws were not inclined to keep her along with them. Thereafter a customary divorce took place between her and her husband. She tried to contact with the applicant but he refused to recognize her.
5. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
6. On the other hand, the State Counsel opposed the bail application.
7. Looking to the above facts and circumstances of the case, as the trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
8. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge